

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 913.2.2.1. to permit a total sign square footage of 197.43 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs (11720 Reisterstown Road, Reisterstown, Maryland).

1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the existing Taco Bell Restaurant at the property.
2. The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalty of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: N/A

Legal Owner(s):

Taco Bell Corp.

Signature: *[Signature]*

Address: 1940 Route 70 East, Suite 203, (609) 424-7200

City and State: Cherry Hill, NJ 08003

Attorney for Petitioner: Stanley S. Fine, P.A.

Address: 222 E. Redwood Street, Ste. 300, Baltimore, Maryland 21202

Attorney's Telephone No.: 732-6597

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 1986.

That the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, 1st property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 19th day of August, 1986, at 10:45 o'clock.

[Signature]
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 30th day of June, 1986.

Petitioner: Taco Bell Corp.

Petitioner's Attorney: Stanley S. Fine, Esquire

Received by: James E. Dyer

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: July 21, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions Nos. 87-44-A, 87-45-SpA, 87-46-A and 87-47-A

As to these requests for variances, this office has no problem with the menu boards or directional signs; however, the proposed I.D. signs are such too large. This office is opposed not only to the excessive height but to the excessive size of these signs. Baltimore County's arterial roads has been blessed with a plethora of signage. Additionally we fail to see the need for such height and size considering the proposed locations of the signs.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:slm

Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

Mr. A. Jablon-Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Item #440
Property Owner: Taco Bell Corporation
Location: SW/S Reisterstown Road (Route 140) 700' SE Chestnut Hill La. W.
Existing Zoning: B.L.
Proposed Zoning: Variance to permit a total sign sq. footage of 197.43 sq. feet in lieu of the allowed 100 sq. ft. and permit 5 other business signs in lieu of the allowed 3 other business signs
Acres: 0.81
District: 4th

Dear Mr. Dyer:

On review of the submittal for sign variance, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein, (659-1642) for all comments relative to zoning.

Very truly yours,
[Signature]
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es
cc: J. Ogle
M. Stein w/att.

My telephone number is 301-659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717/707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman: Stanley S. Fine, Esquire
222 E. Redwood Street, Suite 300
Baltimore, Maryland 21202

RE: Item No. 440 - Case No. 87-46-A
Petitioner: Taco Bell Corp.
Petition for Zoning Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

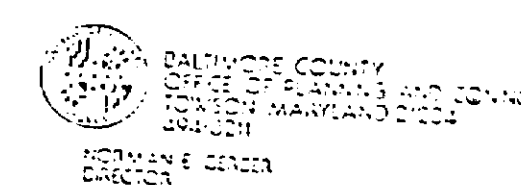
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures

cc: Hudkins Associates, Inc.
200 East Joppa Road, Room 101
Towson, Maryland 21204

Taco Bell Corp.
1940 Route 70 East, Suite 203
Cherry Hill, New Jersey 08003



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Committee Meeting of June 10, 1986
Item # 440
Property Owner: TACO BELL CORP.
Location: SW/S REISTERSTOWN RD., 700' SE CHESTNUT HILL LA. W.

- The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.
- ☒ There are no site planning factors requiring comment.
 - ☒ A County Review Group Meeting is required.
 - ☒ A County Review Group Meeting was held and the minutes will be filed by the Bureau of Public Services.
 - ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
 - ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
 - ☒ The access is not satisfactory.
 - ☒ The circulation on this site is not satisfactory.
 - ☒ The parking arrangement is not satisfactory.
 - ☒ Parking calculations must be shown on the plan.
 - ☒ This property contains soils which are defined as wetlands, and construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
 - ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
 - ☒ The amended Development Plan was approved by the Planning Board on [blank].
 - ☒ Landscaping: Just comply with Baltimore County Landscape Manual.
 - ☒ The property is located in a deficient service area as defined by Bill 110-19. A building permit may be issued until a future Capacity Use Certificate has been issued. The deficient service is [blank].
 - ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 110-19, and its conditions change are re-evaluated annually by the County Council.
 - ☒ Additional comments: [blank]

cc: James Howell
Eunice A. Barber
Chief, Current Planning and Development

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING

TOWSON, MARYLAND 21204
494-3550

STEPHEN C. COLLINS
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 440
Property Owner: -2AC-
Location: Meeting of June 10, 1986
Existing Zoning: SW/S Reisterstown Rd., 700 feet SE Chestnut Hill La. W.
Proposed Zoning: B.L.
Variance to permit a total sign square footage of 197.43 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs
Acres: 0.81
District: 4th Election District

Dear Mr. Jablon:

The site plan fails to provide a sufficiently large enough radius between the driveway for a drive-thru window and Reisterstown Rd. This can be expected to cause congestion on Reisterstown Rd.

Very truly yours,
[Signature]
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 440, Zoning Advisory Committee Meeting of 6/10/86

Property Owner: TACO BELL CORPORATION
Location: SW/S Reisterstown Rd., 700' SE Chestnut Hill La. W.
District: 4th

Water Supply: Public
Sewage Disposal: Public

COMMENTS ARE AS FOLLOWS:

- ☒ Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval. 494-3770
- ☐ Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ☐ A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ☐ A permit to construct from the Division of Air Pollution Control is required for any chabroiler operation which has a total cooking surface area of five (5) square feet or more.
- ☐ Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service areas and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ☐ Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ☐ Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ☐ If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 440 Zoning Advisory Committee Meeting of 6/10/86
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- () Others _____

[Signature]
Ian J. Portney, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

June 24, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Taco Bell Corporation
Location: SW/S Reisterstown Road, 700' SE Chestnut Hill La. W.
Item No.: 440 Zoning Agenda: Meeting of 6/10/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments. *[Signature]* this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 9, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 440 Zoning Advisory Committee Meeting are as follows:

Property Owner: Taco Bell Corporation
Location: SW/S Reisterstown Road, 700 feet SE Chestnut Hill Lane W
District: 4th.

APPLICABLE STANDARDS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.B.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All One Group except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All One Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008, and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: Signs shall comply with Article 19 as amended by Council Bill #17-85.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

LJZ/7/86

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9080

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9080
May 23, 1986

DESCRIPTION FOR ZONING VARIANCE - 11720 REISTERSTOWN ROAD:

Beginning for the same at a point on the west side of Reisterstown Road (80 feet wide) said point being distant South 43 degrees 49 minutes 00 seconds East 700.19 feet from the point formed by the intersection of the west side of Reisterstown Road with the center of Chestnut Hill Lane West thence South 43 degrees 49 minutes 00 seconds East 124.04 feet (2) South 42 degrees 08 minutes 00 seconds West 284.00 feet (3) North 43 degrees 49 minutes 00 seconds West 124.04 feet (4) North 47 degrees 08 minutes 00 seconds East 284.00 feet to the place of beginning.

Malcolm E. Hudkins
Registered Surveyor #5095

IN RE: PETITIONS ZONING VARIANCES * BEFORE THE
Larry G. Hoover, * ZONING COMMISSIONER
Taco Bell Corporation, and * OF BALTIMORE COUNTY
Edgar F. Lassahn, *
Petitioners * Case Nos. 87-44-A, 87-46-A,
and 87-47-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit 5 or 6 other business signs totaling in excess of the permitted 3 signs totaling 100 square feet in each of the cases, as more particularly described on Petitioner's Exhibit 1 in each case.

The Petitioners, by Taco Bell Corporation, the owner or lessee of the properties, by their District Managers and by David D. Bock, Area Construction Manager, appeared and testified and were represented by Counsel. There were no Protestants.

Testimony indicated that Taco Bell restaurants exist at all three sites. Each has had a drive-thru added or one is proposed. Each has double-faced pylon signs totaling 138 square feet, has or proposes single-faced menu boards totaling 23.55 square feet, and has directional signs. The original signs were erected at a time when multi-faced signs were computed as single faced. If the original signs are to remain the same size but need to be relocated, the present policy to count all sides would be applicable. Such is the case here. The size of the pylon signs will not change, only their location, but now each side must be counted. The addition of the drive-thru requires an additional sign, i.e., a pre-order menu board totaling 23.55 square feet. The Petitioners seek relief from Section 413.2.f, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

The Petitioners request to place Taco Bell's logo on the directional signs, which would transform them from directional to business signs, thereby subjecting them to the need for the requested variances. However, no practical difficulty has been shown nor would there any be consistency with the spirit and intent of the BCZR for such to be permitted.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if variances other than those denied above were granted, such uses as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to these particular parcels. In addition, the variances will not be detrimental to the public health, safety, and general welfare.

- 2 -

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of August, 1986, that variances to permit other business signs totaling 185.10 square feet, to include a double-faced pylon sign containing 138 square feet and a single-faced menu board and pre-order menu board, each containing 23.55 square feet, in lieu of the permitted 100 square feet be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- No temporary signs shall be permitted at any time.
- Where appropriate, the Petitioners have 60 days to replace the existing directional signs containing logos with those without logos.

It is FURTHER ORDERED that variances to permit five or six other business signs in lieu of the permitted three be and are hereby DENIED.

[Signature]
Zoning Commissioner of
Baltimore County

Stanley S. Fine, Esquire
People's Counsel

PETITION FOR ZONING VARIANCE
4th Election District
Case No. 87-46-A

LOCATION: Southwest Side of Reisterstown Road, 700 feet Southeast of Chestnut Hill Lane West (11720 Reisterstown Road)

DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 5 other business signs totaling 197.43 square feet in lieu of the permitted 3 other business signs totaling 100 square feet

Being the property of Taco Bell Corp., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

DATE
BY

ORDER RECEIVED FOR FILING

DATE
BY

ORDER RECEIVED FOR FILING

DATE
BY

RE: PETITION FOR VARIANCES
SW/S of Reisterstown Rd., 700'
SE of Chestnut Hill La. West
(11720 Reisterstown Rd.)
4th District
TACO BELL CORP., Petitioner : Case No. 87-46-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, P.A., 222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

August 14, 1986

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
SW/S of Wise Ave., 870' NW of Lynch Rd. (7815 Wise Ave.)
12th Election District
Larry G. Hoover - Petitioner
Case No. 87-44-A (A & P COSTS - \$65.75)

PETITIONS FOR SPECIAL HEARING AND VARIANCES
SW/cor. of Joppa Rd. and Old Harford Rd. (2317 E. Joppa Rd.)
9th Election District
Taco Bell Corp. - Petitioner
Case No. 87-45-SPHA (A & P COSTS - \$116.71)

PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill La. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A (A & P COSTS - \$65.37)

PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill La. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A (A & P COSTS - \$65.37)

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 021823
DATE 8/18/86 ACCOUNT R-01-615-000
SIGNATURES & POSTS TO BE RETURNED
Stanley S. Fine, Esquire, 222 E. Redwood St., Suite 300, Baltimore, Md. 21202
ADVERTISING & POSTING COSTS RE CASE NOS. 87-44-A, 87-45-SPHA, 87-46-A, and 87-47-A
FOR \$ 8001*****310431a \$188F
VALIDATION OR SIGNATURE OF CASHIER

Stanley S. Fine, Esquire

August 14, 1986
Page 2

Do not remove the signs from the property from the time they are placed by this office until the day of the hearing itself.

Please make the check payable to "Baltimore County, Maryland" and remit it to the Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

July 7, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill La. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 021654

DATE 8/18/86 ACCOUNT 01-615
AMOUNT \$ 100.00

RECEIVED STANLEY S. FINE
FOR FILING FEE VARIANCE 11/11/86
TACO BELL CORP. (87-46-A)
VALIDATION OR SIGNATURE OF CASHIER

TACO BELL CORP. SIGNAGE
11720 Reisterstown Road

1 pylon sign (double-faced)	138.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
1 directional sign (double-faced)	8.22 sq. ft.
1 directional sign (single-faced)	4.11 sq. ft.
Totals: 5 signs	197.43 sq. ft.

197.43
197.43
197.43
PETITIONER'S
EXHIBIT 1

87-46-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting July 21, 1986
Posted for Variance
Petitioner: Taco Bell Corp.
Location of property SW/S of Reisterstown Rd., 700' SE of Chestnut Hill La. West (11720 Reisterstown Rd.)
Location of Signs In front of subject property at 11720 Reisterstown Rd. Approx. 725' SE of Chestnut Hill La.
Remarks:
Posted by S. J. Jung Signature Date of return: July 25, 1986
Number of Signs: 1

PETITION FOR ZONING VARIANCE
Case No. 87-46-A
LOCATION: SW/S of Reisterstown Rd., 700' SE of Chestnut Hill La. West (11720 Reisterstown Rd.)
DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variance to permit the use of the property for the purpose of operating a fast-food restaurant and drive-in service, as shown on the plat filed with the Zoning Office, on the date and at the time specified above.
In the event that this Petitioner's request is granted, the Zoning Commissioner will issue a zoning variance to the Petitioner for the purpose of operating a fast-food restaurant and drive-in service, as shown on the plat filed with the Zoning Office, on the date and at the time specified above.
However, no zoning variance shall be issued unless the Petitioner has first obtained a zoning variance from the Zoning Office, on the date and at the time specified above.

UNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., July 31, 1986
I CERTIFY that the annexed... Reg. #185799... P.O. #78909
one (1) successive week/day's previous
day of July 1986, in the
County Times, a daily newspaper published
in Westminster, Carroll County, Maryland.
stown News, a weekly newspaper published
in Baltimore County, Maryland.
nity Times, a weekly newspaper published
in Baltimore County, Maryland.
UNITY NEWSPAPERS OF MARYLAND, INC.
Per *James K. Kugler*

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 1986

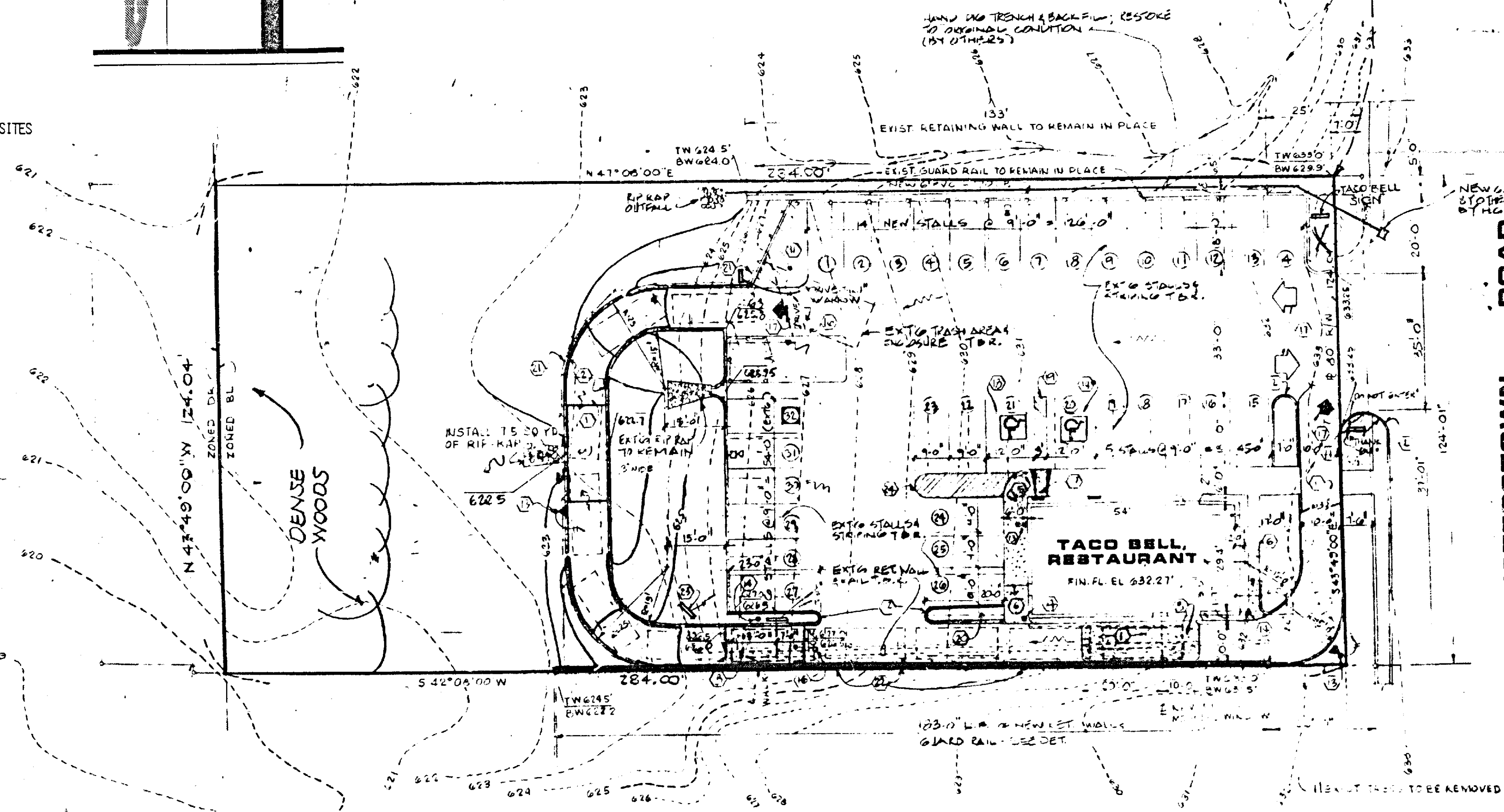
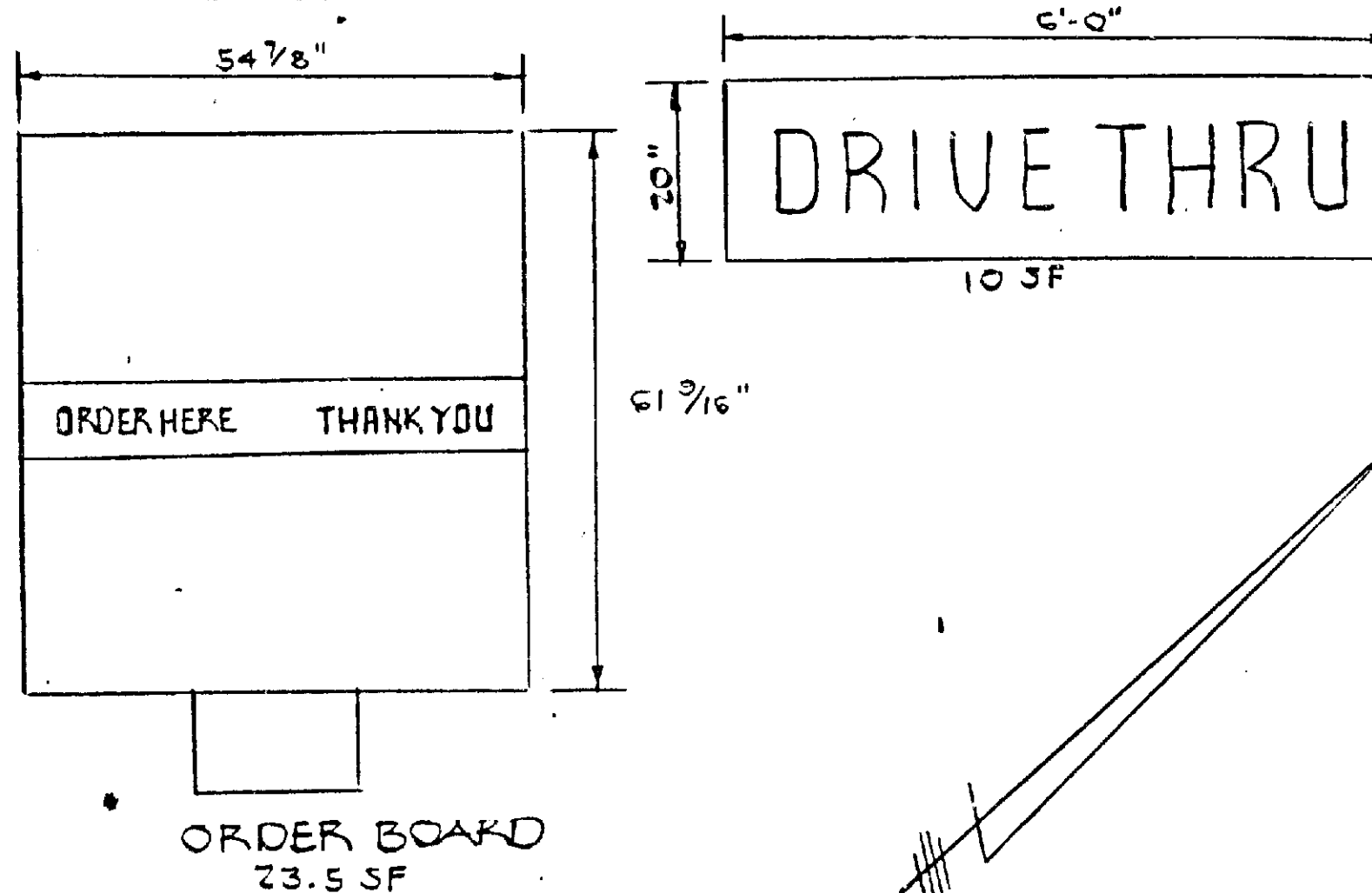
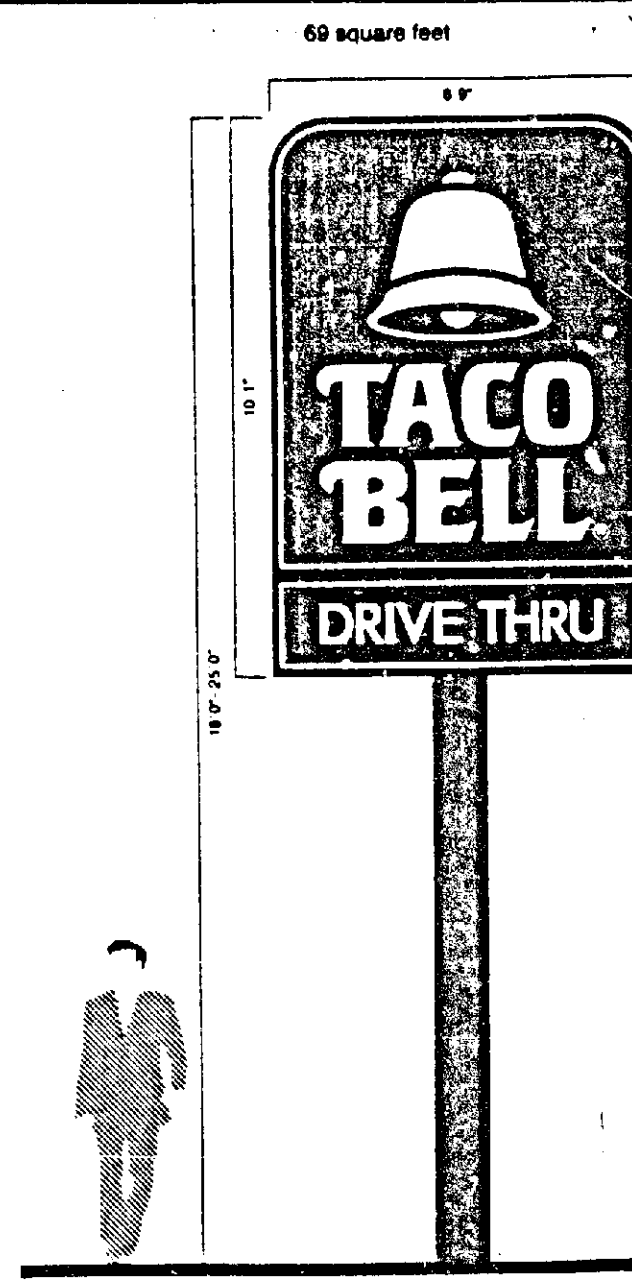
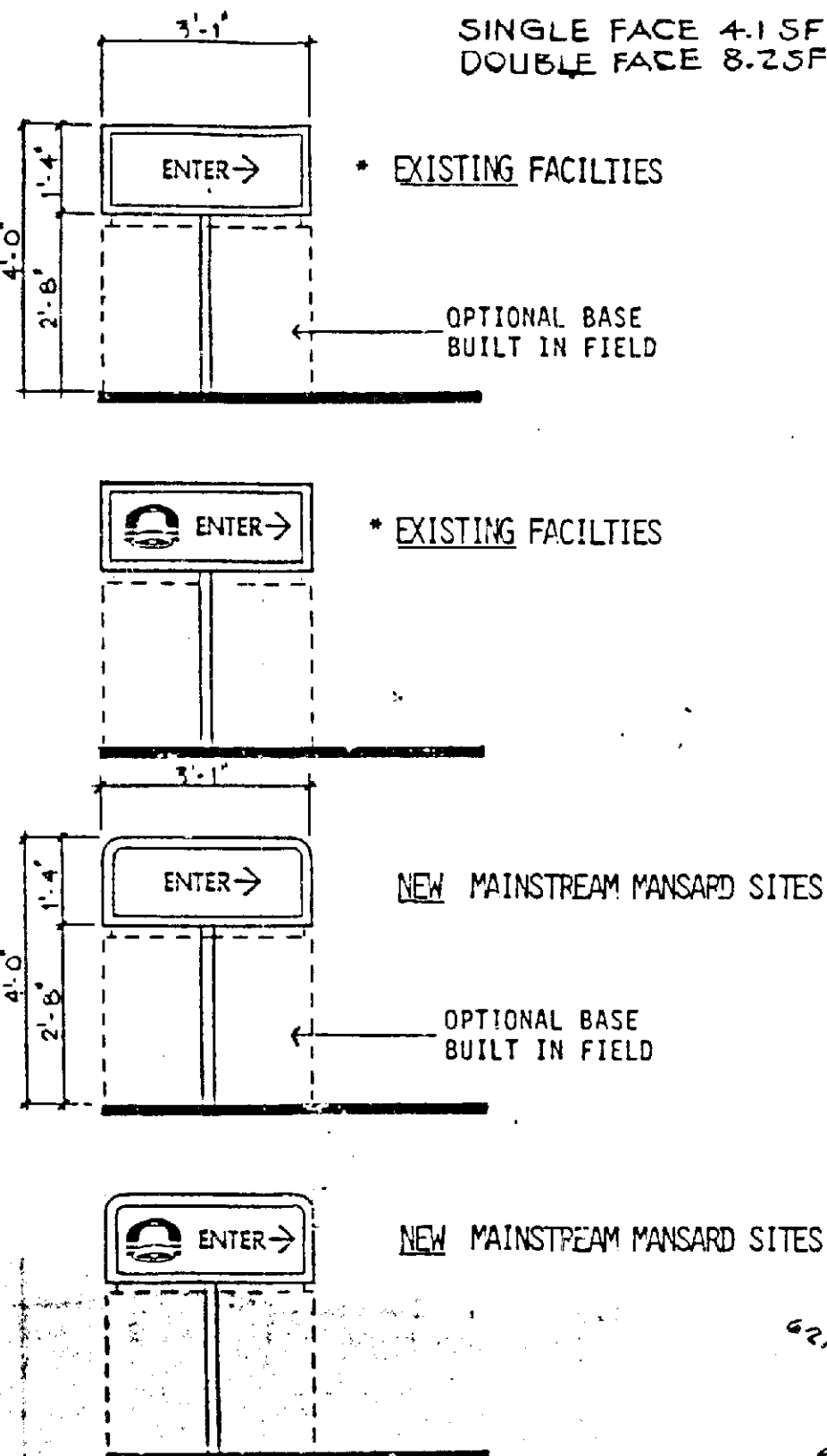
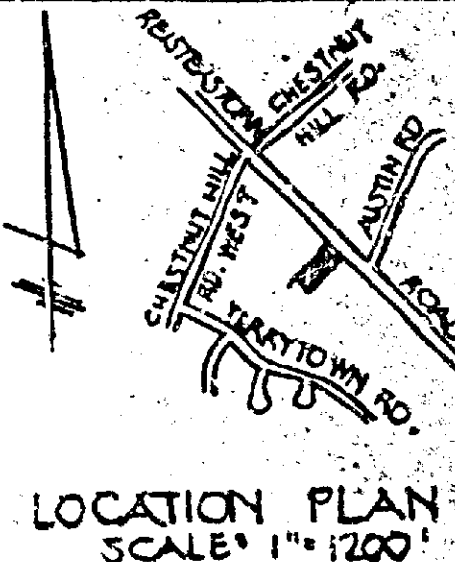
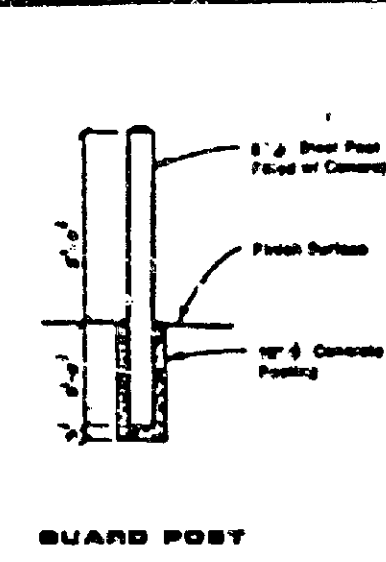
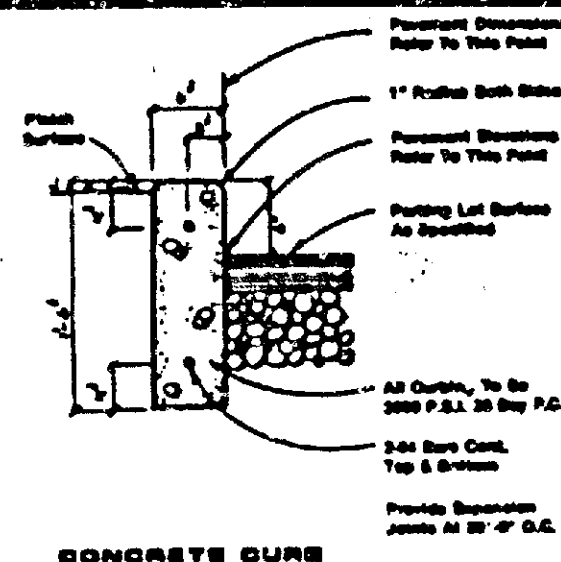
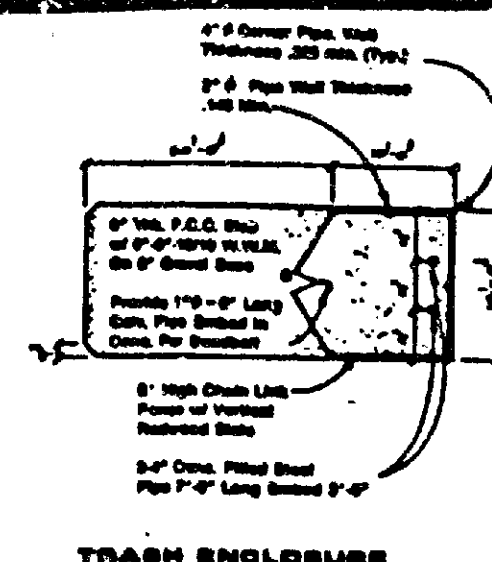
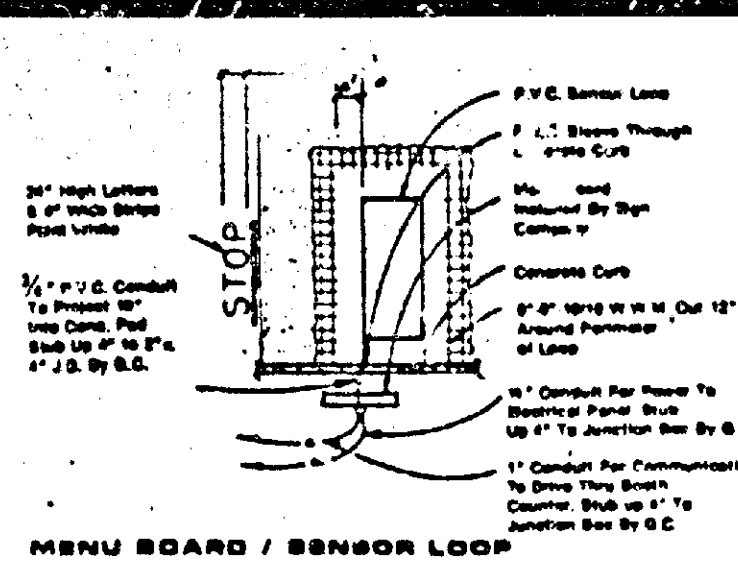
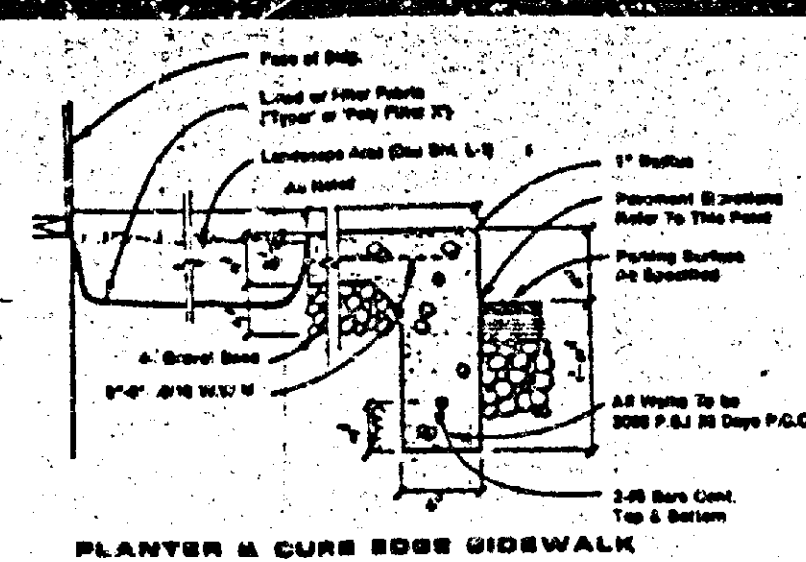
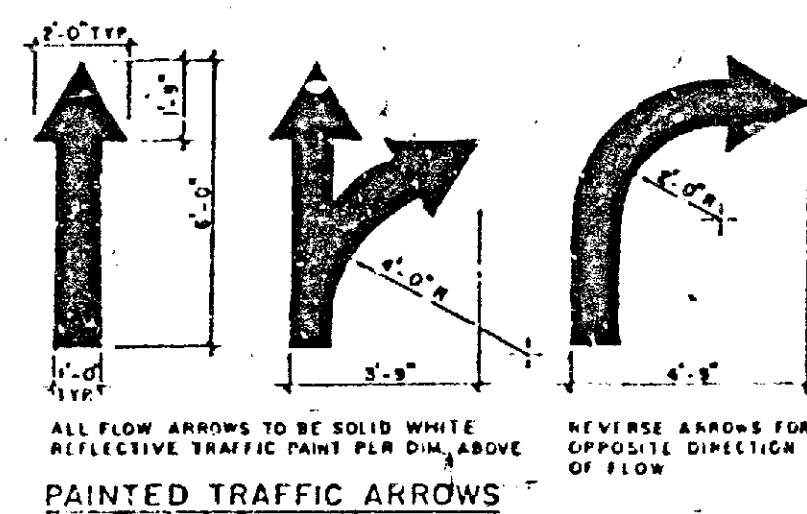
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 31, 1986.

THE JEFFERSONIAN,

Lillian S. Sander
Publisher
Cost of Advertising
24.75

PETITION FOR ZONING VARIANCE
Case No. 87-46-A
LOCATION: Southwest Side of Reisterstown Road, 700 feet Southwest of Chestnut Hill Lane West (11720 Reisterstown Rd.)
DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variance to permit the use of the property for the purpose of operating a fast-food restaurant and drive-in service, as shown on the plat filed with the Zoning Office, on the date and at the time specified above.
In the event that this Petitioner's request is granted, the Zoning Commissioner will issue a zoning variance to the Petitioner for the purpose of operating a fast-food restaurant and drive-in service, as shown on the plat filed with the Zoning Office, on the date and at the time specified above.
However, no zoning variance shall be issued unless the Petitioner has first obtained a zoning variance from the Zoning Office, on the date and at the time specified above.

- # CONSTRUCTION NOTES
- Construct A.C. Pavement To Match Existing Pavement Section Unless Otherwise Noted.
 - Construct New Curbing To Match Existing.
 - Remove Existing Curbing
 - Remove Existing Sidewalk As Required.
 - Construct New Sidewalk To Match Existing.
 - Construct P.C.C. Ramp - Max Slope = 1:12
 - Construct Depressed Ramp In Sidewalk.
 - Construct 4" Thick P.C.C. Pad With 6" x 6" Pad Per Detail.
 - Gravel Base
 - Construct Trash Enclosure On P.C.C. Pad Per Detail.
 - Install "Drive-Thru" Appendage Sign On Existing Taco Bell Pole Sign.
 - Install Double Flash Illuminated Directional Sign. Sign Face As Noted.
 - Install Menu Board and Sensor Loop Per Detail.
 - Install New Yard Light to Match Existing. ~~OR RELOCATE EXIST~~
 - Install Guard Post Per Detail.
 - Install 6'-0" Long P.C.C. Wheelstop.
 - Paint 24" High Letters - White.
 - Paint Traffic Arrows - White.
 - Paint Handicap Symbol - White on Blue Background.
 - Paint 4" Wide Solid Strips - White.
 - Landscape Area - See GENERAL NOTES 4.3
 - INSTALL LEWIS STOCKADE FENCE
 - INSTALL NEW RET WALL PER DET THIS SAT
 - INSTALL FREEDOM MENU BOARD
 - THIS IS TO BE REMOVED & REPEATED PER []



NOTES

1. ZONING BL
2. AREA = 0.81 AC ±
3. PARKING DATA
BLDG AREA = 1584 SF / 50 = 32 SP. REQ.
SPACES PROVIDED = 32

SITE PLAN

SCALE 1" = 20'

VARIANCE PLAT
11720 REISTERSTOWN ROAD
ELECTION DIST. 4 BALTO. CO., MD
MAY 23, 1986

OFFICE COPY

440.
Lynn

817-40

87

477-209

00-000000

2. 1940-1941

... ..

**TACO BELL ARCHITECTURAL
DEPARTMENT**

TRC BEL

REV: B10
11-27-84
DTT REV.
2-11-85
DTT LANE R
8-20-85
RET. VAL

BUILDING
29' X
FLUE

JOE NEW
202

9033

112

CHART

A

— 264 —

148

16808 ARMSTRONG AVE. IRVING, CALIFORNIA 91714 714-850-1800

1720 RISTERTOWN RD.
RISTERTOWN, MD. 21136

DLR
- DLR
GS
CHANG

184

0

1996

Abstract

1994年12月

10

A

Figure 1

1999

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 913.2.2.1. to permit a total sign square footage of 197.43 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs (11720 Reisterstown Road, Reisterstown, Maryland).

1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the existing Taco Bell Restaurant at the property.
2. The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalty of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: N/A
 (Type or Print Name)
 Signature
 Address
 City and State
 Attorney for Petitioner:
 Stanley S. Fine, P.A.
 (Type or Print Name)
 Signature
 222 E. Redwood Street, Ste. 300
 Address
 Baltimore, Maryland 21202
 City and State
 Attorney's Telephone No.: 732-6597
 Address
 Legal Owner(s):
 Taco Bell Corp.
 (Type or Print Name)
 Signature
 David Bock, Area Construction Manager
 (Type or Print Name)
 Signature
 1940 Route 70 East, Suite 203
 Address
 Cherry Hill, NJ 08003
 City and State
 Name, address and phone number of legal owner, contractor purchaser or representative to be contacted
 Taco Bell Corp.
 Name
 Same as above
 Address
 Phone

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, 1st property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 19th day of August, 1986, at 10:45 o'clock P.M.

Cal J. J. J.
 Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your petition has been received and accepted for filing this 30th day of June, 1986.

Petitioner: Taco Bell Corp.
 Petitioner's Attorney: Stanley S. Fine, Esquire
 Received by: James E. Dyer
 Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
 TO: Zoning Commissioner
 Date: July 21, 1986
 Norman E. Gerber, AICP, Director
 FROM: Office of Planning and Zoning
 SUBJECT: Zoning Petitions No. 87-44-A, 87-45-SpA, 87-46-A and 87-47-A

As to these requests for variances, this office has no problem with the menu boards or directional signs; however, the proposed I.D. signs are such too large. This office is opposed not only to the excessive height but to the excessive size of these signs. Baltimore County's arterial roads has been blessed with a plethora of signage. Additionally we fail to see the need for such height and size considering the proposed locations of the signs.

Norman E. Gerber, AICP
 Director

NEG:JGH:slm



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
 Secretary
 Hal Kassoff
 Administrator

June 13, 1986

Mr. A. Jablon-Chief
 Bureau of Public Services
 County Office Building
 Towson, Maryland 21204

Re: Baltimore County
 Item #440
 Property Owner: Taco Bell Corporation
 Location: SW/S Reisterstown Road (Route 140) 700' SE Chestnut Hill La. W.
 Existing Zoning: B.L.
 Proposed Zoning: Variance to permit a total sign sq. footage of 197.43 sq. feet in lieu of the allowed 100 sq. ft. and permit 5 other business signs in lieu of the allowed 3 other business signs
 Acres: 0.81
 District: 4th

ATT: James Dyer

Dear Mr. Dyer:

On review of the submittal for sign variance, the site plan has been forwarded to the State Highway Administration Beautification Section, C/O Morris Stein, (659-1642) for all comments relative to zoning.

Very truly yours,

Charles Lee, Chief
 Bureau of Engr. Access Permits
 by: George Wittman

CL-GW:es

cc: J. Ogle
 M. Stein w/att.

My telephone number is 301-659-1350

Teleprinter for Impaired Hearing or Speech
 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
 P.O. Box 717/707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 23, 1986

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

ooo

Chairman

MEMBERS

Bureau of Engineering
 Department of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Stanley S. Fine, Esquire
 222 E. Redwood Street, Suite 300
 Baltimore, Maryland 21202

RE: Item No. 440 - Case No. 87-46-A
 Petitioner: Taco Bell Corp.
 Petition for Zoning Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

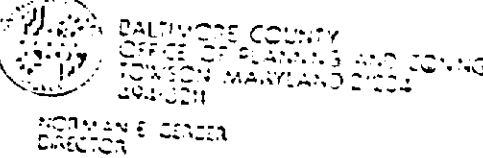
James E. Dyer
 Chairman
 Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Hudkins Associates, Inc.
 200 East Joppa Road, Room 101
 Towson, Maryland 21204

Taco Bell Corp.
 1940 Route 70 East, Suite 203
 Cherry Hill, New Jersey 08003



BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Zoning Item # 440, Zoning Advisory Committee Meeting of 6/10/86

Property Owner: Taco Bell Corporation

Location: SW/S Reisterstown Rd., 700 feet SE Chestnut Hill La. District: 4th

Water Supply: Public Sewage Disposal: Public

COMMENTS ARE AS FOLLOWS:

- (V) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval. 494-3770
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any chabroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 440 Zoning Advisory Committee Meeting of 6/10/86
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____.
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____.
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- () Others _____

[Signature]
Ian J. Portney, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

June 24, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Taco Bell Corporation
Location: SW/S Reisterstown Road, 700' SE Chestnut Hill La. W.
Item No.: 440 Zoning Agenda: Meeting of 6/10/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments. *[Signature]* this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 9, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 440 Zoning Advisory Committee Meeting are as follows:

Property Owner: Taco Bell Corporation
Location: SW/S Reisterstown Road, 700 feet SE Chestnut Hill Lane W
District: 4th.

APPLICABLE STANDARDS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.B.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All One Group except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All One Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008, and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- (J) Comments: Signs shall comply with Article 19 as amended by Council Bill #17-85.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

LJZ/7/86

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9080

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9080
May 23, 1986

DESCRIPTION FOR ZONING VARIANCE - 11720 REISTERSTOWN ROAD:

Beginning for the same at a point on the west side of Reisterstown Road (80 feet wide) said point being distant South 43 degrees 49 minutes 00 seconds East 700.19 feet from the point formed by the intersection of the west side of Reisterstown Road with the center of Chestnut Hill Lane West thence South 43 degrees 49 minutes 00 seconds East 124.04 feet (2) South 42 degrees 08 minutes 00 seconds West 284.00 feet (3) North 43 degrees 49 minutes 00 seconds West 124.04 feet (4) North 47 degrees 08 minutes 00 seconds East 284.00 feet to the place of beginning.

Malcolm E. Hudkins
Registered Surveyor #5095

IN RE: PETITIONS ZONING VARIANCES * BEFORE THE
Larry G. Hoover, * ZONING COMMISSIONER
Taco Bell Corporation, and * OF BALTIMORE COUNTY
Edgar F. Lassahn, *
Petitioners * Case Nos. 87-44-A, 87-46-A,
and 87-47-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit 5 or 6 other business signs totaling in excess of the permitted 3 signs totaling 100 square feet in each of the cases, as more particularly described on Petitioner's Exhibit 1 in each case.

The Petitioners, by Taco Bell Corporation, the owner or lessee of the properties, by their District Managers and by David D. Bock, Area Construction Manager, appeared and testified and were represented by Counsel. There were no Protestants.

Testimony indicated that Taco Bell restaurants exist at all three sites. Each has had a drive-thru added or one is proposed. Each has double-faced pylon signs totaling 138 square feet, has or proposes single-faced menu boards totaling 23.55 square feet, and has directional signs. The original signs were erected at a time when multi-faced signs were computed as single faced. If the original signs are to remain the same size but need to be relocated, the present policy to count all sides would be applicable. Such is the case here. The size of the pylon signs will not change, only their location, but now each side must be counted. The addition of the drive-thru requires an additional sign, i.e., a pre-order menu board totaling 23.55 square feet. The Petitioners seek relief from Section 413.2.f, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

The Petitioners request to place Taco Bell's logo on the directional signs, which would transform them from directional to business signs, thereby subjecting them to the need for the requested variances. However, no practical difficulty has been shown nor would there any be consistency with the spirit and intent of the BCZR for such to be permitted.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if variances other than those denied above were granted, such uses as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to these particular parcels. In addition, the variances will not be detrimental to the public health, safety, and general welfare.

- 2 -

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of August, 1986, that variances to permit other business signs totaling 185.10 square feet, to include a double-faced pylon sign containing 138 square feet and a single-faced menu board and pre-order menu board, each containing 23.55 square feet, in lieu of the permitted 100 square feet be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- No temporary signs shall be permitted at any time.
- Where appropriate, the Petitioners have 60 days to replace the existing directional signs containing logos with those without logos.

It is FURTHER ORDERED that variances to permit five or six other business signs in lieu of the permitted three be and are hereby DENIED.

[Signature]
Zoning Commissioner of
Baltimore County

Attest:
Stanley S. Fine, Esquire
People's Counsel

- 3 -

PETITION FOR ZONING VARIANCE

4th Election District

Case No. 87-46-A

LOCATION: Southwest Side of Reisterstown Road, 700 feet Southeast of Chestnut Hill Lane West (11720 Reisterstown Road)

DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 5 other business signs totaling 197.43 square feet in lieu of the permitted 3 other business signs totaling 100 square feet

Being the property of Taco Bell Corp., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

DATE
BY

ORDER RECEIVED FOR FILING

DATE
BY

ORDER RECEIVED FOR FILING

DATE
BY

RE: PETITION FOR VARIANCES
SW/S of Reisterstown Rd., 700'
SE of Chestnut Hill La. West
(11720 Reisterstown Rd.)
4th District
TACO BELL CORP., Petitioner : Case No. 87-46-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, P.A., 222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

August 14, 1986

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
SW/S of Wise Ave., 870' NW of Lynch Rd. (7815 Wise Ave.)
12th Election District
Larry G. Hoover - Petitioner
Case No. 87-44-A (A & P COSTS - \$65.75)

PETITIONS FOR SPECIAL HEARING AND VARIANCES
SW/cor. of Joppa Rd. and Old Harford Rd. (2317 E. Joppa Rd.)
9th Election District
Taco Bell Corp. - Petitioner
Case No. 87-45-SPHA (A & P COSTS - \$116.71)

PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill La. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A (A & P COSTS - \$65.37)

PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill La. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A (A & P COSTS - \$65.37)

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 021823
DATE 8/18/86 ACCOUNT R-01-615-000
SIGNATURES & POSTS TO BE RETURNED
Stanley S. Fine, Esquire, 222 E. Redwood St., Suite 300, Baltimore, Md. 21202
ADVERTISING & POSTING COSTS RE CASE NOS. 87-44-A, 87-45-SPHA, 87-46-A, and 87-47-A
FOR \$ 8001*****310431a \$188F
VALIDATION OR SIGNATURE OF CASHIER

Stanley S. Fine, Esquire

August 14, 1986
Page 2

Do not remove the signs from the property from the time they are placed by this office until the day of the hearing itself.

Please make the check payable to "Baltimore County, Maryland" and remit it to the Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

July 7, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/S of Reisterstown Rd., 700' SE of Chestnut
Hill La. West (11720 Reisterstown Rd.)
4th Election District
Taco Bell Corp. - Petitioner
Case No. 87-46-A

TIME: 10:45 a.m.

DATE: Monday, August 18, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 021654

DATE 7/17/86 ACCOUNT 01-615
AMOUNT \$ 100.00

RECEIVED STANLEY S. FINE
FOR FILING FEE VARIANCE 11/11/86
TACO BELL CORP. (87-46-A)
VALIDATION OR SIGNATURE OF CASHIER

TACO BELL CORP. SIGNAGE
11720 Reisterstown Road

1 pylon sign (double-faced)	138.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
1 directional sign (double-faced)	8.22 sq. ft.
1 directional sign (single-faced)	4.11 sq. ft.
Totals: 5 signs	197.43 sq. ft.

197.43
197.43
197.43
PETITIONER'S
EXHIBIT 1

87-46-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting July 21, 1986
Posted for Variance
Petitioner: Taco Bell Corp.
Location of property SW/S of Reisterstown Rd., 700' SE of Chestnut Hill La. West (11720 Reisterstown Rd.)
Location of Signs In front of subject property at 11720 Reisterstown Rd. Approx. 725' SE of Chestnut Hill La.
Remarks:
Posted by S. J. Jung Signature Date of return: July 25, 1986
Number of Signs: 1

PETITION FOR ZONING VARIANCE
Case No. 87-46-A
LOCATION: SW/S of Reisterstown Rd., 700' SE of Chestnut Hill La. West (11720 Reisterstown Rd.)
DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variance to permit the use of the property for the purpose of a restaurant and drive-in service, as shown on the plat filed with the Zoning Office.
In the event that this Petitioner's request is granted, a building permit may be issued within the thirty (30) day appeal period.
The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of ARNOLD JABLON, Zoning Commissioner of Baltimore County
7:30P July 31

UNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., July 31, 1986
I CERTIFY that the annexed Reg. #185799 P.O. #78909
was published in the following newspapers:
one (1) successive week/day previous day of July 1986, in the
County Times, a daily newspaper published in Westminster, Carroll County, Maryland.
stown News, a weekly newspaper published in Baltimore County, Maryland.
nity Times, a weekly newspaper published in Baltimore County, Maryland.
UNITY NEWSPAPERS OF MARYLAND, INC.
Per *James K. Kugler*

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 31, 1986.

THE JEFFERSONIAN,

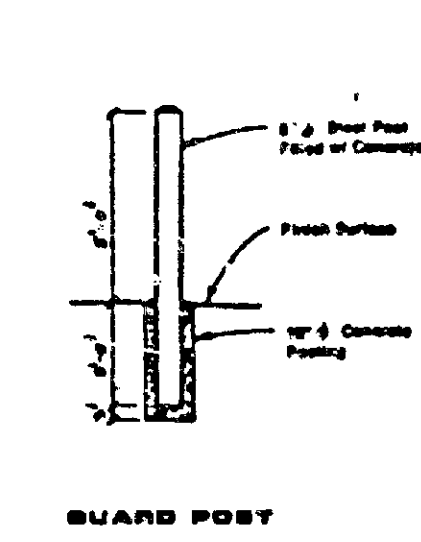
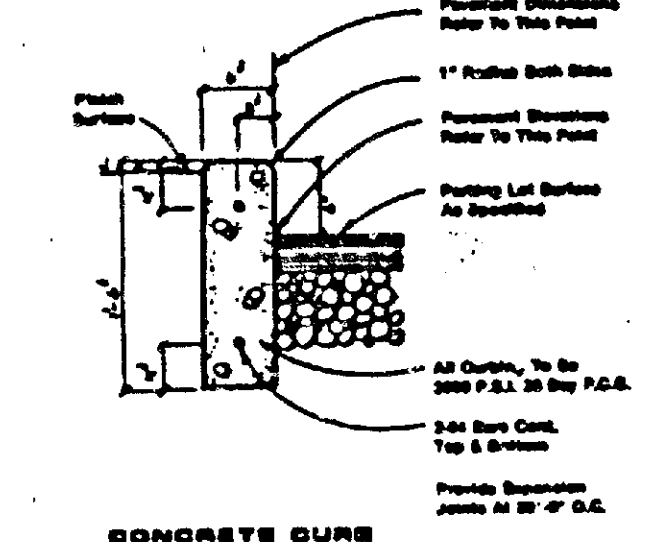
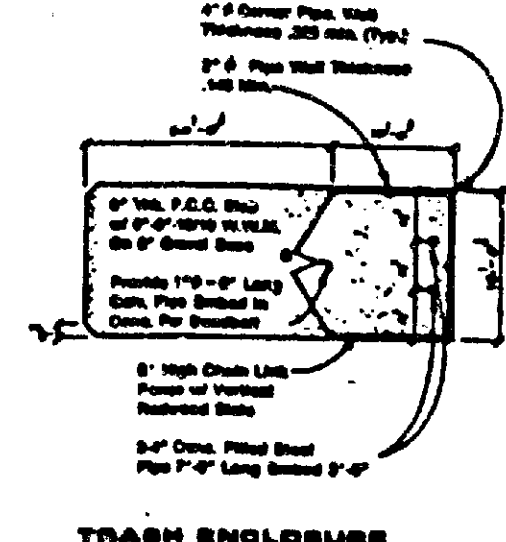
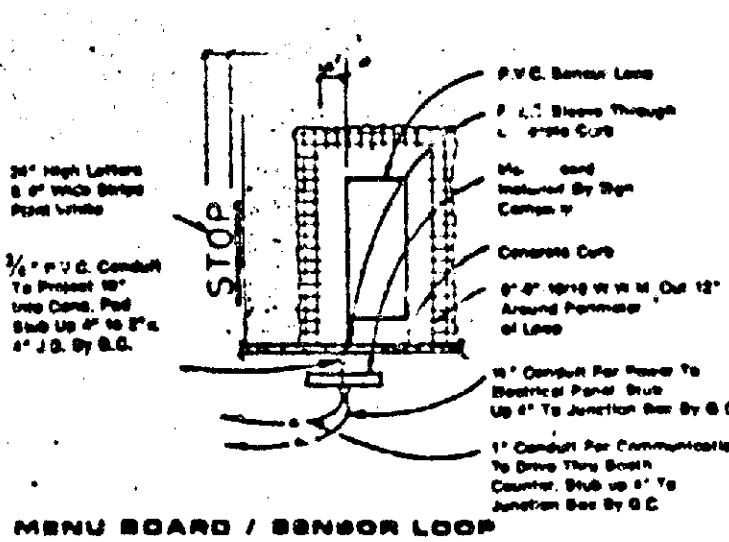
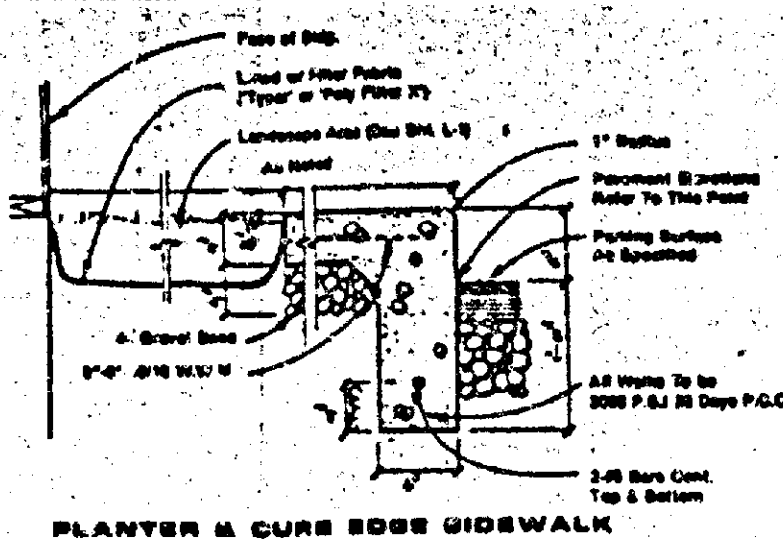
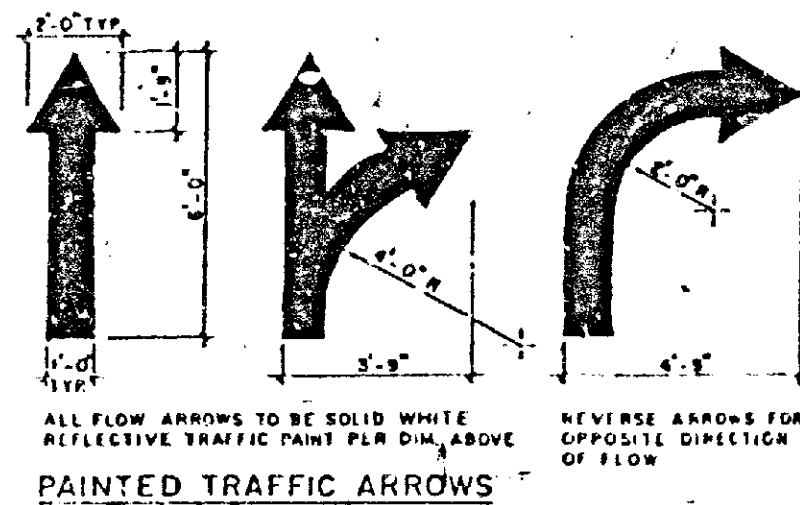
Lillian S. Sander
Publisher
Cost of Advertising
24.75

PETITION FOR ZONING VARIANCE
Case No. 87-46-A
LOCATION: Southwest Side of Reisterstown Road, 700 feet Southwest of Chestnut Hill Lane West (11720 Reisterstown Rd.)
DATE AND TIME: Monday, August 18, 1986, at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for zoning variance to permit the use of the property for the purpose of a restaurant and drive-in service, as shown on the plat filed with the Zoning Office.
In the event that this Petitioner's request is granted, a building permit may be issued within the thirty (30) day appeal period.
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By Order of ARNOLD JABLON, Zoning Commissioner of Baltimore County
7:30P July 31

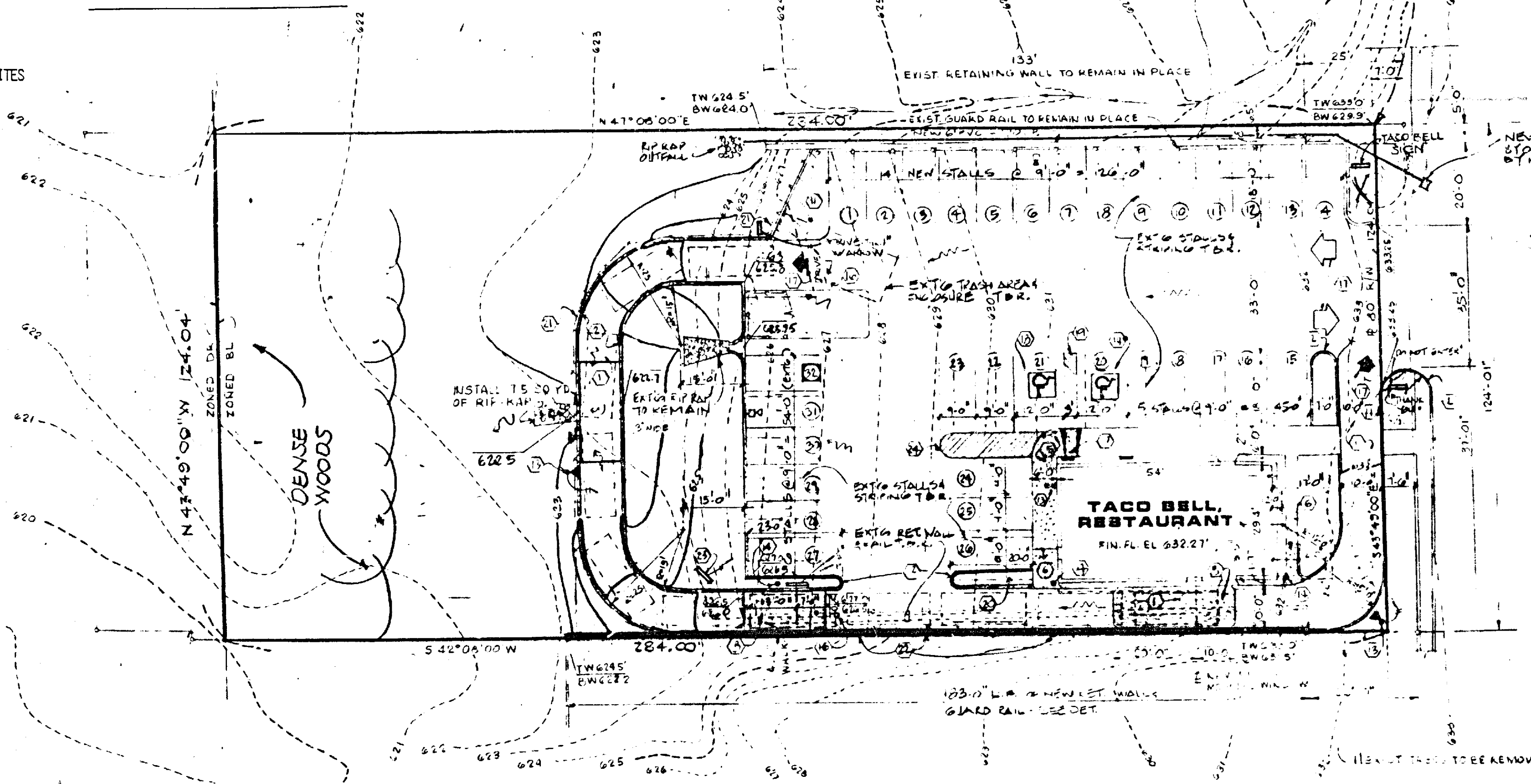
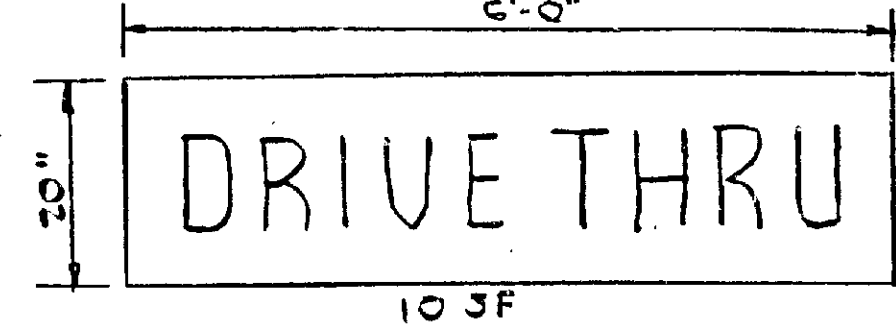
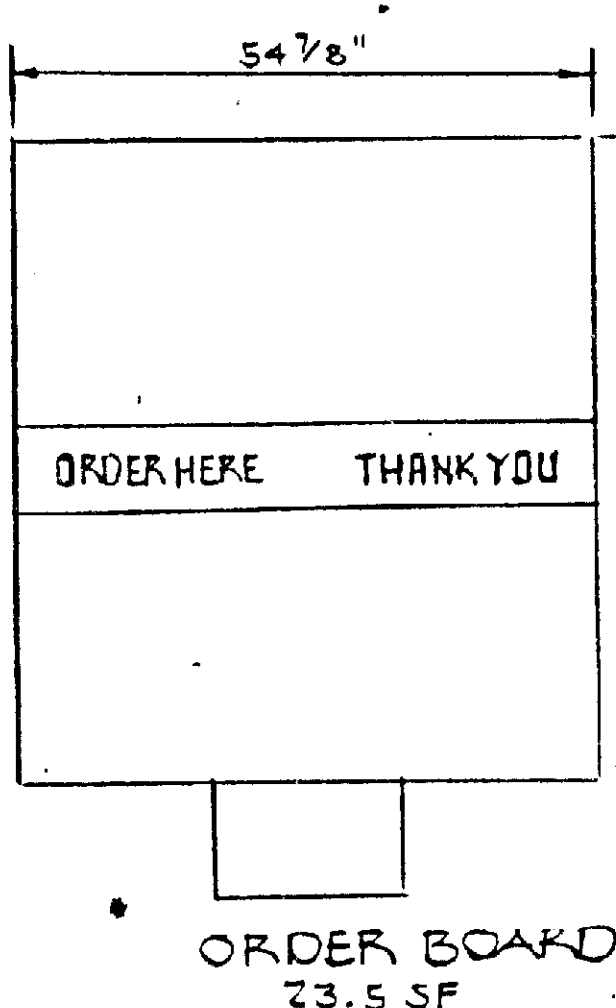
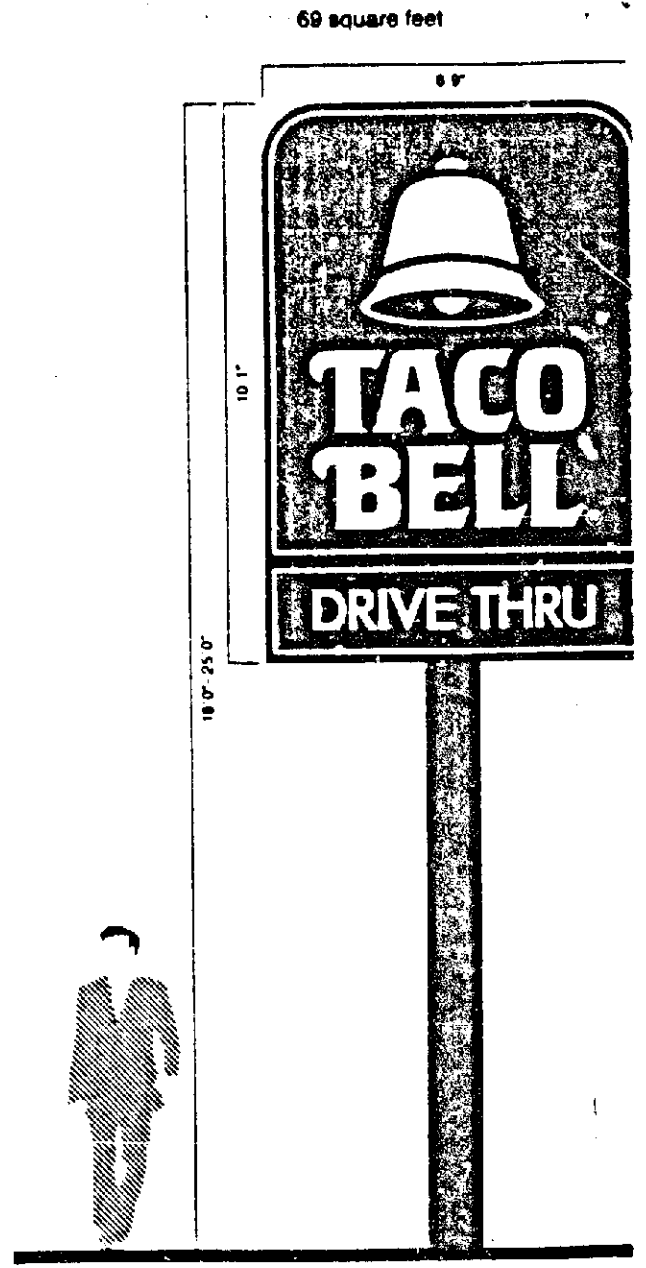
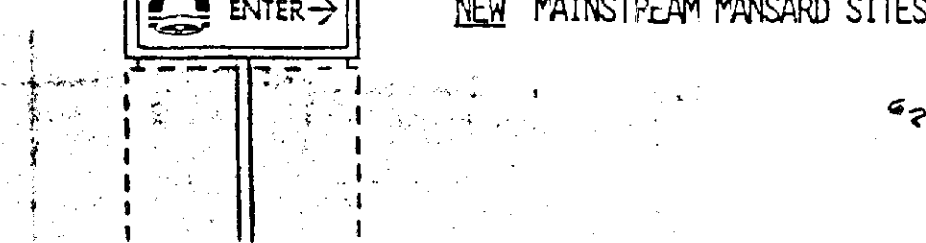
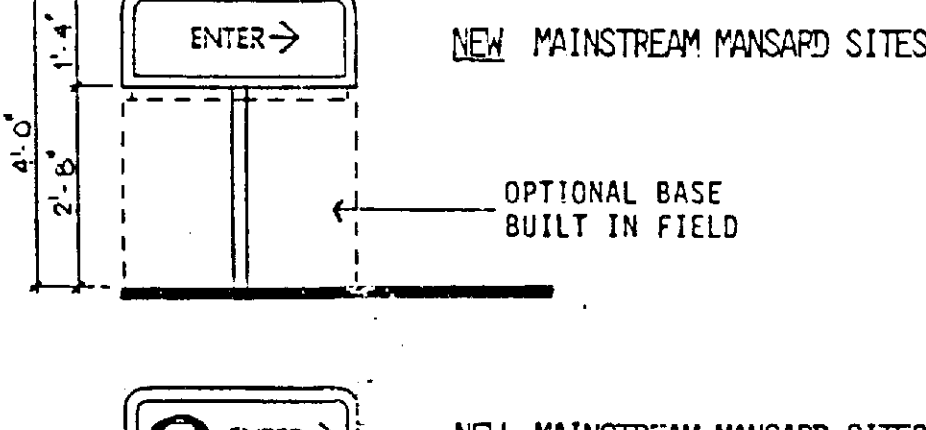
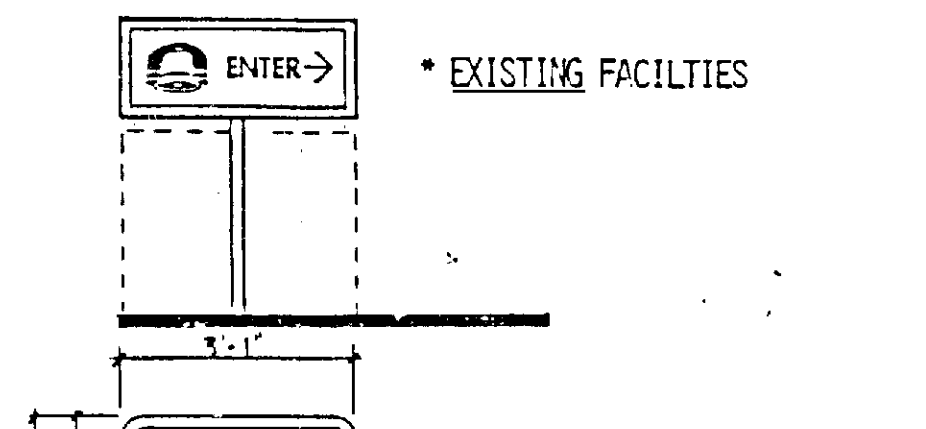
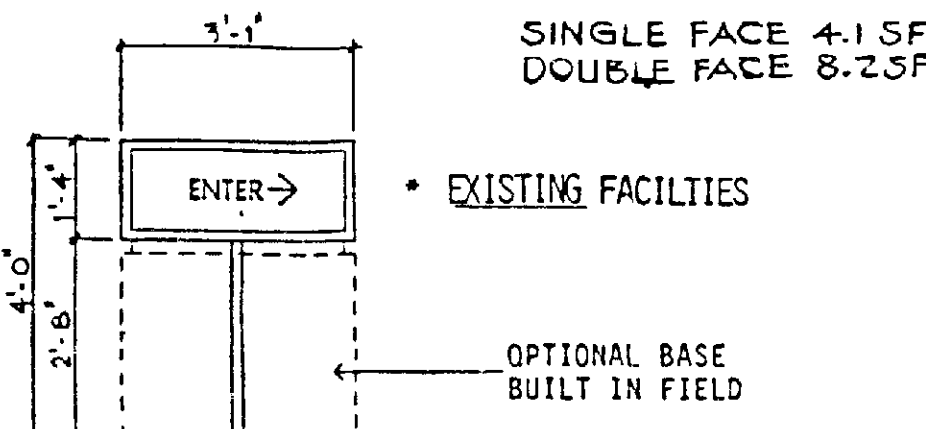
- GENERAL NOTES**
1. See... direct all work to the architect.
 2. All work shall be done in accordance with the specifications.
 3. All work shall be done in accordance with the specifications.
 4. All work shall be done in accordance with the specifications.
 5. All work shall be done in accordance with the specifications.
 6. All work shall be done in accordance with the specifications.
 7. All work shall be done in accordance with the specifications.
 8. All work shall be done in accordance with the specifications.
 9. All work shall be done in accordance with the specifications.
 10. All work shall be done in accordance with the specifications.
 11. All work shall be done in accordance with the specifications.
 12. All work shall be done in accordance with the specifications.
 13. All work shall be done in accordance with the specifications.
 14. All work shall be done in accordance with the specifications.
 15. All work shall be done in accordance with the specifications.
 16. All work shall be done in accordance with the specifications.
 17. All work shall be done in accordance with the specifications.
 18. All work shall be done in accordance with the specifications.
 19. All work shall be done in accordance with the specifications.
 20. All work shall be done in accordance with the specifications.

CONSTRUCTION NOTES

1. Construct A.C. Pavement To Match Existing Pavement Section Unless Otherwise Noted.
2. Construct New Curbing To Match Existing.
3. Remove Existing Curbing.
4. Remove Existing Sidewalk As Required.
5. Construct New Sidewalk To Match Existing.
6. Construct P.C.C. Ramp -- Max Slope = 1:12
7. Construct Depressed Ramp In Sidewalk.
8. Construct 4" Thick P.C.C. Pad With 6" 4" 10/16 W.M. Over 6" Gravel Base.
9. Construct Trash Enclosure On P.C.C. Pad Per Detail.
10. Install "Drive-Thru" Appurtenant Sign On Existing Taco Bell Pole Sign.
11. Install Double Faced Illuminated Directional Sign. Sign Face As Noted.
12. Install Menu Board and Sensor Loop Per Detail.
13. Install New Yard Light To Match Existing. OR REPLACE EXIST.
14. Install Guard Post Per Detail.
15. Install 6'-0" Long P.C.C. Wheelstop.
16. Paint 24" High Letters - White.
17. Paint Traffic Arrows - White.
18. Paint Handicap Symbol - White on Blue Background.
19. Paint 4" Wide Solid Strips - White.
20. Landscape Area - See GENERAL NOTE # 4 & 5
21. INSTALL NEW 4' STOCKADE FENCE
22. INSTALL NEW RET WALL PER DET THIS SHT
23. INSTALL REORDER MENU BOARD
24. EXISTING SIGN TO BE REMOVED & REPLACED PER DET



LOCATION PLAN
SCALE 1" = 120'



REISTERSTOWN ROAD
80' RW
(MD. RTE. 240 Y)

OFFICE COPY

4110
12/24/84
8746A

**TACO BELL ARCHITECTURAL
DEPARTMENT**

18808 ARMSTRONG AVE. 714-890-3500
IRVING, CALIFORNIA 92714

TACO BELL

31780 REISTERSTOWN RD.
REISTERSTOWN, MD. 21115



REVISIONS

11-27-84
DT REV - DLR

1-11-85
DT LANE REV - DLR

5-20-85 RGS
RET. WALL CHANGE

BUILDING TYPE

29' X 154'

FLASH CUT

JOB NUMBER

3020

DATE

10-25-84

PROJECT NUMBER

A-1-A

RECEIVED 8-26-85

RECEIVED BLUEPRINT 8-14-85